

RECEIVED  
CENTRAL FAX CENTER

NOV 07 2003

## FAX TRANSMISSION

OFFICIAL

DATE: November 7, 2003

PTO IDENTIFIER: Application Number 09/584717-Conf. #2605

Patent Number

Inventor: Jochen G. Salfeld, et al.

MESSAGE TO: F. Hamud

FAX NUMBER: (703) 872-9306

FROM: LAHIVE &amp; COCKFIELD, LLP

Elizabeth A. Hanley

PHONE: (617) 227-7400

Attorney Dkt. #: BBI-095CP

PAGES (Including Cover Sheet): 40

CONTENTS: Certificate of Transmission under 37 CFR 1.8 (1 page);  
Amendment Transmittal (1 page);  
Supplemental Amendment and Response (35 pages);  
Fee Transmittal (1 page - in duplicate); and  
Charge \$1,134.00 to deposit account 12-0080.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE &amp; COCKFIELD, LLP

28 State Street, Boston, Massachusetts 02109

Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/97 (12-97)

Approved for use through 9/30/00 OMB 0651-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

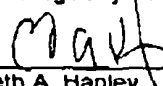
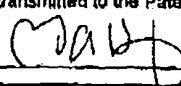
on November 7, 2003  
Date

  
Signature

Elizabeth A. Hanley  
Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper


Certificate of Transmission under 37 CFR 1.8 (1 page);  
Amendment Transmittal (1 page);  
Supplemental Amendment and Response (35 pages);  
Fee Transmittal (1 page - in duplicate); and  
Charge \$1,134.00 to deposit account 12-0080

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No BBI-093CP	
Application No 09/534717-Conf. #2605		Filing Date March 24, 2000		Examiner F Hamud	
Applicant(s): Jochen G. Salfeld, et al.					
Invention: HUMAN ANTIBODIES THAT BIND HUMAN IL-12 AND METHODS FOR PRODUCING					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application					
The fee has been calculated and is transmitted as shown below					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	204	- 141 =	63	x 18 00	1,134 00
Independent Claims	11	- 41 =		x	0.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					0.00
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>1,134.00</b>
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
<input type="checkbox"/> No additional fee is required for this amendment					
<input checked="" type="checkbox"/> Please charge Deposit Account No <u>12-0080</u> in the amount of \$ <u>1,134 00</u> A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed					
<input type="checkbox"/> Payment by credit card Form PTO-2038 is attached					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Elizabeth A. Hanley Attorney Reg. No: 33,505  LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>November 7, 2003</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no (703) 872-9306, on the date shown below Dated: November 7, 2003 <span style="float: right;">             Signature  (Elizabeth A. Hanley)           </span>					

PTO/sb17 (10-03)

Approved for use through 7/31/2008 OMB 0861-0032  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL for FY 2004</b>		<b>Complete if Known</b>																																																																																																																																																																															
Effective 10/01/2003, Patent fees are subject to annual revision.		Application Number	09/534717-Conf #2605																																																																																																																																																																														
		Filing Date	March 24, 2000																																																																																																																																																																														
		First Named Inventor	Jochen G. Salfeld																																																																																																																																																																														
		Examiner Name	F. Hamud																																																																																																																																																																														
		Art Unit	1847																																																																																																																																																																														
		Attorney Docket No.	BB1-093CP																																																																																																																																																																														
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27																																																																																																																																																																																	
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 1,134.00																																																																																																																																																																																	
<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																															
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		<b>3. ADDITIONAL FEES</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>85</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1256</td><td>2,010</td><td>2256</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1808</td><td>770</td><td>2808</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(d))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(d))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	85	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1256	2,010	2256	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(g)		1808	180	1808	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1808	770	2808	385	Filing a submission after final rejection (37 CFR 1.129(d))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(d))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity Fee Code	Large Entity Fee (\$)			Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																										
1051	130			2051	85	Surcharge - late filing fee or oath																																																																																																																																																																											
1052	50			2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																											
1053	130	1053	130	Non-English specification																																																																																																																																																																													
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																													
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																													
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																													
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																													
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																													
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																													
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																													
1256	2,010	2256	1,005	Extension for reply within fifth month																																																																																																																																																																													
1401	330	2401	165	Notice of Appeal																																																																																																																																																																													
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																													
1403	290	2403	145	Request for oral hearing																																																																																																																																																																													
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																													
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																													
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																													
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																													
1502	480	2502	240	Design issue fee																																																																																																																																																																													
1503	640	2503	320	Plant issue fee																																																																																																																																																																													
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																													
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)																																																																																																																																																																													
1808	180	1808	180	Submission of Information Disclosure Sheet																																																																																																																																																																													
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																													
1808	770	2808	385	Filing a submission after final rejection (37 CFR 1.129(d))																																																																																																																																																																													
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(d))																																																																																																																																																																													
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																													
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																													
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee																																																																																																																																													
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1001	770	2001	385	Utility filing fee																																																																																																																																																																													
1002	340	2002	170	Design filing fee																																																																																																																																																																													
1003	530	2003	265	Plant filing fee																																																																																																																																																																													
1004	770	2004	385	Reissue filing fee																																																																																																																																																																													
1005	160	2005	80	Provisional filing fee																																																																																																																																																																													
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>204</td> <td>-141** = 63</td> <td>18.00</td> <td>1,134.00</td> </tr> <tr> <td>Independent Claims</td> <td>11</td> <td>-41** =</td> <td>0.00</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>0.00</td> </tr> </tbody> </table>		Total Claims	Extra Claims	Fee from below	Fee Paid	204	-141** = 63	18.00	1,134.00	Independent Claims	11	-41** =	0.00	Multiple Dependent			0.00																																																																																																																																																																
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																														
204	-141** = 63	18.00	1,134.00																																																																																																																																																																														
Independent Claims	11	-41** =	0.00																																																																																																																																																																														
Multiple Dependent			0.00																																																																																																																																																																														
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204</td><td>88</td><td>2204</td><td>43</td><td>Reissue independent claims over original patent</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	1202	18	2202	9	Claims in excess of 20	1201	86	2201	43	Independent claims in excess of 3	1203	290	2203	145	Multiple dependent claim, if not paid	1204	88	2204	43	Reissue independent claims over original patent	1205	18	2205	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																		
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																																																																																																																																																													
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																													
1201	86	2201	43	Independent claims in excess of 3																																																																																																																																																																													
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																													
1204	88	2204	43	Reissue independent claims over original patent																																																																																																																																																																													
1205	18	2205	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																													
<b>SUBTOTAL (1) (\$)</b> 0.00		<b>SUBTOTAL (2) (\$)</b> 1,134.00																																																																																																																																																																															
**or number previously paid, if greater. For Reissues, see above.		*Reduced by Basic Filing Fee Paid																																																																																																																																																																															
<b>SUBMITTED BY</b> Name (Print/Type) Elizabeth A. Hanley Signature 		(Complete if applicable) Registration No. (Attorney/Agent) 33,505 Telephone (617) 227-7400 Date November 7, 2003																																																																																																																																																																															

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated November 7, 2003

Signature: 

(Elizabeth A. Hanley)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Jochen G. Salfeld *et al.*

Serial No.: 09/534,717

Filed: March 24, 2000

For: *Human Antibodies that Bind Human IL-12 and  
Methods for Producing*

Attorney Docket No.: BBI-093CP

Group Art Unit: 1647

Examiner: Fozia M. Hamud

OFFICIAL

RECEIVED  
CENTRAL FAX CENTER

NOV 07 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below:

November 7, 2003

Date

*Elizabeth Hanley*

Elizabeth Hanley, Reg. No.

SUPPLEMENTAL AMENDMENT AND RESPONSE

Dear Sir:

This is a Supplemental Amendment to our previously filed Amendment and Response filed on September 23, 2003, and in response to discussions that occurred during the personal interview of October 17, 2003. Amendments to the claims are reflected in the listing of claims which begins on page 2 of this Amendment and Response. Remarks/Arguments begin on page 15 of this paper. Please amend the above-referenced application as follows: